

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TOM STARRETT,

Plaintiff,

v.

KARIE COE, et al.,

Defendants.

CIVIL ACTION NO. 3:16-cv-02272
(JUDGE CAPUTO)

(MAGISTRATE JUDGE
SAPORITO)

ORDER

NOW, this 9th day of August, 2017, **IT IS HEREBY ORDERED** that:

- (1) The recommendations in the R&R (Doc. 47) are **ADOPTED** as set forth in the accompanying Memorandum.
- (2) Defendants' Motion to Dismiss (Doc. 38), as converted to a Motion for Partial Summary Judgment pursuant to Rule 12(d) of the Federal Rules of Civil Procedure with respect to Plaintiff's tort claims against Defendants Tyler Moszcienski, David Smith, and Heather Smith, is **GRANTED**.
- (3) Judgment is **ENTERED** in favor of Defendants Tyler Moszcienski, David Smith, and Heather Smith and **AGAINST** Plaintiff on Plaintiff's tort claims as to those Defendants.
- (4) Defendants' Motion to Dismiss (Doc. 38) Plaintiff's bad-faith claims against Defendants Allstate Insurance and Karie Coe is **GRANTED**. Plaintiff's bad-faith claims are **DISMISSED with prejudice**.
- (5) The Clerk of Court is directed to mark this case as **CLOSED**.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge